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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 2298/2025 & CRL.M.A. 18335/2025

MUKESH BHATI

.....Applicant

Through: Mr. L.K. Singh, Adv.
through V.C.

versus

STATE NCT OF DELHI

.....Respondent

Through: Ms. Richa Dhawan, APP
for the State.
SI Hemant Kumar, PS
Jafrabad along with
complainant.
Mr. Akash Giri, Adv. for
complainant through V.C.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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22.07.2025

1. The present application is filed by applicant seeking pre-arrest bail in FIR No. 76/2023 dated 30.01.2023, registered at Police Station Jafrabad, for offences under Sections 420/468/471/120B of the Indian Penal Code, 1860.
2. The matter was previously adjourned as it was contended by the learned counsel for the applicant that the parties are married and there is scope of amicably resolving the matter.
3. The complainant is present in the Court and states that there is no possibility of any kind of settlement. She states that applicant has cheated her and has sold two of her houses, that are, House No. 541, Khasra No. 112, Main Krishna Gali, Maujpur, Delhi and House No. 700/2B, Main Road, Sai Ram Mandir, Vijay Park, New Delhi by forging her thumb impressions.
4. As noted by this Court by order dated 15.07.2025, the status report clearly indicates that the complainant's thumb



impressions were found to be forged on the document by way of which the subject property was allegedly transferred by the complainant to the applicant. The same has also been ascertained from report of the Finger Print Bureau.

5. Even though the parties are embroiled in a matrimonial dispute, the same does not justify or excuse the commission of a crime of such gravity. The present matter involves allegations in relation to forgery which cannot be brushed off merely on account of the marital discord between the parties. It cannot be ignored that, *prima facie*, the status report indicates that the applicant forged the complainant's thumb impressions and sold the properties, causing wrongful loss to the complainant.

6. Considering the same, it cannot be held, at this stage, that the investigation is being carried out with the intention to injure or humiliate the applicant.

7. It is to be kept in mind that the considerations governing the grant of pre-arrest bail are materially different than those to be considered while adjudicating the application for grant of regular bail, as in the latter case, the accused is already under arrest and substantial investigation is carried out by the investigating agency. It is trite law that the power to grant pre-arrest bail is extraordinary in nature and has to be exercised sparingly. An order of pre-arrest bail cannot be granted in a routine manner so as to allow the applicant to use the same as a shield. Granting anticipatory bail to the applicant would undoubtedly impede further investigation.

8. While the arguments and defences will be seen during the arguments before the learned Trial Court, at this stage, the facts do not indicate false implication of the applicant.

9. In view of the aforesaid discussion, the applicant has not



established a *prima facie* case for grant of pre-arrest bail and the application is, therefore, dismissed.

10. It is clarified that any observations made in the present order are for the purpose of deciding the present bail application and should not influence the outcome of the trial and also not be taken as an expression of opinion on the merits of the case.

AMIT MAHAJAN, J

JULY 22, 2025/“SK”